

AMENDED IN ASSEMBLY AUGUST 25, 1997

SENATE BILL

No. 744

**Introduced by ~~Committee on Budget and Fiscal Review~~
*Senator Hughes***

February 26, 1997

An act relating to consumer affairs, and declaring the urgency thereof, to take effect immediately, to amend Section 20128.5 of the Public Contract Code, relating to public construction contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 744, as amended, ~~Committee on Budget and Fiscal Review~~ *Hughes. Department of Consumer Affairs Local Agency Public Construction Act.*

Existing law provides for the existence in state government of a Department of Consumer Affairs. Various boards and commissions are within the jurisdiction of the department.

This bill would express the intent of the Legislature to make necessary statutory changes to implement the Budget Act of 1997 relative to the Department of Consumer Affairs.

The bill would declare that it is to take effect immediately as an urgency statute.

The existing Local Agency Public Construction Act authorizes a county board of supervisors to award annual contracts which do not exceed \$1,000,000 for repair, remodeling, or other repetitive work to be done according to unit prices, as defined.

This bill would increase the maximum contract amount that the board is authorized to award under these circumstances

to \$3,000,000 each, to be adjusted annually, and would make technical changes to existing law.

Vote: $\frac{2}{3}$ majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—It is the intent of the Legislature in~~

2 *SECTION 1. Section 20128.5 of the Public Contract*
3 *Code is amended to read:*

4 20128.5. Notwithstanding any other provisions of this
5 article, the board of supervisors may award individual
6 annual contracts, none of which ~~do not~~ shall exceed ~~one~~
7 three million dollars ~~(\$1,000,000)~~ (\$3,000,000), adjusted
8 annually to reflect the percentage change in the
9 California Consumer Price Index, for repair, remodeling,
10 or other repetitive work to be done according to unit
11 prices. No annual contracts may be awarded for any new
12 construction. The contracts shall be awarded to the
13 lowest responsible bidder and shall be based on plans and
14 specifications for typical work. No project shall be
15 performed under ~~such a~~ the contract except by order of
16 the board of supervisors, or an officer acting pursuant to
17 Section 20145.

18 For purposes of this section, “unit price” means the
19 amount paid for a single unit of an item of work, and
20 “typical work” means a work description applicable
21 universally or applicable to a large number of individual
22 projects, as distinguished from work specifically
23 described with respect to an individual project.

24 For purposes of this section, “repair, remodeling, or
25 other repetitive work to be done according to unit prices”
26 shall not include design or contract drawings.

27 ~~enacting this act to make the necessary statutory changes~~
28 ~~to implement the Budget Act of 1997 relative to the~~
29 ~~Department of Consumer Affairs.~~

30 ~~SEC. 2. This act is an urgency statute necessary for the~~
31 ~~immediate preservation of the public peace, health, or~~
32 ~~safety within the meaning of Article IV of the~~

1 ~~Constitution and shall go into immediate effect. The facts~~
2 ~~constituting the necessity are:~~
3 ~~In order to make statutory changes necessary to fully~~
4 ~~implement the Budget Act of 1997 at the earliest possible~~
5 ~~time, it is necessary that this act take effect immediately.~~

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